

## REMARKS

Applicant submits this Amendment in response to the Office Action dated April 18, 2007 accompanied by a petition for a three-month extension of time.

By way of this Amendment, dependent claims 10-13 are canceled, and new claim 43 is added for examination on the merits. Accordingly, no extra claims fees are due. Additionally, claims 1, 5, 15, 20, 23, and 39 are amended to clarify the subject matter of the present application, and claims 1-13 are canceled.

A charge covering the fee for the extension of time, as well as for one independent claim in excess of three, was authorized upon the electronic filing of this paper. No additional fees are believed to be due for proper entry and consideration of this Amendment. Nevertheless, if the Office deems otherwise, kindly charge the cost thereof to Deposit Account No. 13-2855, Order No. 29488/38131.

In light of the foregoing amendments to the claims, and the following remarks, Applicant believes that the present application is in condition for allowance and respectfully requests the Office to acknowledge the same.

## CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 1-3, 5-23, and 39 stand rejected as allegedly obvious over Emsley et al. (U.S. Patent No. 4,509,635) in view of Boyd (U.S. Patent No. 6,208,908).

A *prima facie* case of obviousness requires that three basic criteria be met. First, there must be some suggestion or motivation, either in the references themselves or in knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference or references, when combined, must teach or suggest all of the claim limitations. *See* M.P.E.P. §2143. This standard is not satisfied with respect to independent claims 1, 15, and 39, as amended herein.

The dumping station according to the claimed invention includes, in part, a bin, wherein articles are received in the bin, and subsequently discharged from the bin onto a collection area such as conveyor, for example. The articles are discharged from the bin through the same opening through which they are received into the bin.

Accordingly, independent claims 1, 15, and 39 are amended herein to recite, in part, a bin comprising a receiving end, a discharge end, and an opening extending between the receiving and discharge ends. Additionally, independent claims 1, 15, and 39 recite that the articles are received through the receiving end of the opening, and discharged through the discharge end of the same opening.

Neither Emsley nor Boyd, alone or in combination, teach or suggest such a feature in combination with the remaining elements of the independent claims.

For example, Emsley teaches receptacles 2 having receiving ends and discharge ends that are arranged on opposite sides of the receptacle, as depicted in Fig. 3. The discharge end includes a flap 9 for selectively discharging contents from the receptacles 2. So configured, the receptacles 2 disclosed by Emsley are not “bins” at all, as claimed in the present application, but rather, chutes having receiving and discharge openings located on opposite sides thereof. Emsley does not disclose a bin having a receiving end, a discharge end, and an opening extending between the receiving and discharge ends, wherein articles are received and discharged from the bin via the same opening, as recited independent claims 1, 15, and 39 of the present application.

Furthermore, Boyd does not disclose such a bin. Rather, with reference to Fig. 4, Boyd discloses a receptacle 12 having an open top and a bottom that is equipped with a retractable door 33 that opens to provide a discharge opening 30. So configured, the top constitutes a receiving end, and the bottom constitutes a discharge end. Similar to Emsley, the top and bottom openings are distinct openings located on opposite sides of the receptacle 12. Thus, the receptacle 12 of Boyd cannot equate to the bin, as recited in claims 1, 15, and 39 of the present application.

In light of the foregoing, neither Emsley nor Boyd teaches each and every element of independent claims 1, 15, and 39. Moreover, based on their disparate teachings, neither Emsley nor Boyd can suggest the claimed configuration of the bin.

In addition to the foregoing, independent claim 15 is further amended to recite a stationary support permanently fixed against displacement relative to the collection area, wherein the bin is hingedly mounted on the stationary support. Neither Emsley nor Boyd teach or suggest such a feature. Emsley teaches a number of receptacles 2 suspended from a

girder 5 for transport relative to a plurality of fixed collection areas 11, which constitute mail bags. Thus, the receptacles 2 of Emsley actually move relative to the collection area, which is directly contrary to that which is claimed.

Similarly, Boyd discloses a number of receptacles 12 supported on a track 20 for transport. While the collection area of Boyd may constitute a conveyor 138, the receptacles 12 are certainly not permanently fixed relative thereto, but rather, as mentioned, move on the track 20 relative to the conveyor.

Therefore, neither the receptacles 2 of Emsley nor the receptacles 12 of Boyd are hingedly mounted on a stationary support that is permanently fixed against displacement relative to a collection area, as recited in independent claim 15.

Moreover, any modification of the systems disclosed in Emsley and Boyd to fix the position of the supports for the receptacles 2, 12 relative to the respective collection areas would change the principle of operation thereof and render them inoperable for their intended purposes.

Based on the foregoing, Applicant submits that independent claims 1, 15, and 39 are in condition for allowance. Moreover, claims 2, 3, 5-9, 14, and 16-23 are in condition for allowance as being dependent on allowable base claims.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the presently outstanding obviousness rejections.

#### **REJOINDER**

Applicant respectfully requests rejoinder of claims 40-42 as being dependent on an allowable base claim.

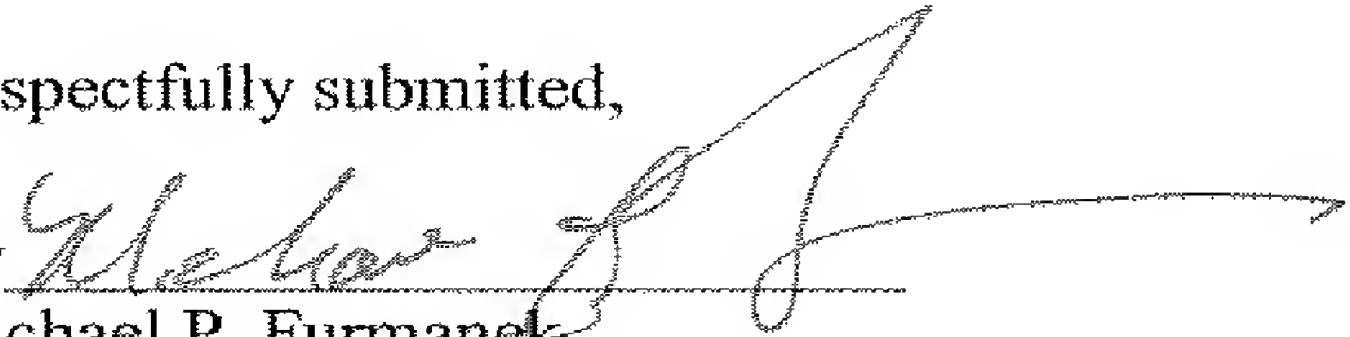
### CONCLUSION

In view of the foregoing, Applicant believes that all outstanding objections, rejections, and other concerns have been either accommodated, traversed, or rendered moot. Therefore, the present application is in condition for allowance.

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Respectfully submitted,

By



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